

Message Text

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INFO OCT-01 ISO-00 HA-05 TRSE-00 IO-13 CIAE-00 DODE-00
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SP-02 SS-15 ICA-11 OMB-01 HEW-04 EB-08 COME-00
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FM AMEMBASSY MOGADISCIO
TO SECSTATE WASHDC 6900

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E.O. 11652: N/A
TAGS: SHUM
SUBJ: 1978 HUMAN RIGHTS REPORT

REF: STATE 212861

I. COUNTRY: SOMALIA

FACED WITH THE PROCLAIMED TASK OF BRINGING ABOUT A SOCIALIST TRANSFORMATION IN SOMALIA'S SOCIETY, AND ADVANCING THE CAUSE OF THE SOMALI NATION, THE SOMALI GOVERNMENT HAS TENDED TO SUBORDINATE INDIVIDUAL LIBERTIES TO ITS POLITICAL AND ECONOMIC GOALS, PARTICULARLY THOSE OF MAINTAINING NATIONAL UNITY AND OF BRINGING ABOUT A MORE EQUITABLE DISTRIBUTION OF SOMALIA'S LIMITED MATERIAL RESOURCES. THE SOMALI GOVERNMENT HAS ALSO BEEN MAKING STRONG EFFORTS TO ELIMINATE TRIBAL AND CLAN DISTINCTIONS AND THE CONCOMITANT FAVORITISMS AND DISCRIMINATION WHICH OFTEN RESULT FROM THEM. THE SOMALI GOVERNMENT HAS ALSO MADE GREAT EFFORTS TO IMPROVE THE STATUS OF WOMEN, DESPITE MUCH OPPOSITION FROM SOME TRADITIONAL SECTORS OF SOMALI SOCIETY. WOMEN NOW HAVE FULL POLITICAL AND ECONOMIC RIGHTS, AND SEVERAL WOMEN HOLD PROMINENT POSITIONS IN THE GOVERNMENT. THE GRADUAL LIBERALIZATION IN THE SOMALI

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GOVERNMENT'S ATTITUDE TOWARDS INDIVIDUAL FREEDOMS WHICH TOOK PLACE FOLLOWING THE EXPULSION OF THE SOVIET ADVISORS IN NOVEMBER 1977, SUFFERED A SET-BACK AFTER AN ABORTIVE COUP ATTEMPT IN APRIL 1978.

II. BODY

1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING
FREEDOM FROM:

A. TORTURE: WE HAVE NO INDICATION THAT TORTURE IS
PRACTICED IN THE SOMALI DEMOCRATIC REPUBLIC.

B. CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT:
NOR DO WE HAVE ANY INDICATIONS OF CRUEL, INHUMAN OR
DEGRADING TREATMENT OR PUNISHMENT EXCEPT FOR THE EXECU-
TION OF RELIGIOUS LEADERS NOTED IN 3.A. BELOW. FROM
OUR VERY LIMITED KNOWLEDGE OF PRISON CONDITIONS AND ON
THE BASIS OF WHAT WE KNOW FROM RELEASED PRISONERS, WE
HAVE NO REASON TO BELIEVE THE PRISON CONDITIONS ARE NOT
RELATIVELY HUMANE.

C. ARBITRARY ARREST OR IMPRISONMENT: ARBITRARY ARRESTS,
DETENTION, AND IMPRISONMENT HAVE BEEN USED AGAINST SUS-
PECTED POLITICAL DISSIDENTS IN SOMALIA. EXCEPT IN
UNUSUAL CASES, PRISON SENTENCES ARE SHORT. MANY OF THE
OFFICIALS WHO HELD OFFICE UNDER THE PREVIOUS REGIME AND
WHO WERE DETAINED FOLLOWING PRESIDENT SIAD'S SUCCESSION
TO POWER HAVE SINCE BEEN APPOINTED TO POSITIONS OF
TRUST AND RESPONSIBILITY IN THE GOVERNMENT. THERE
ARE NO AUTHORITATIVE FIGURES ON THE NUMBER OF POLITICAL
PRISONERS, BUT THE FIGURE IS PROBABLY LESS THAN THIRTY.

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D. DENIAL OF FAIR PUBLIC TRIAL: POLITICAL DISSIDENTS
ARE NOT ALWAYS ACCORDED A PUBLIC TRIAL. WE DO NOT
KNOW WHETHER PRIVATE TRIALS ARE HELD IN CASES WHERE
PUBLIC TRIALS ARE NOT. TRIALS IN ORDINARY CIVIL AND
CRIMINAL CASES ARE PUBLIC AND APPEAR TO BE FAIR. IN
THE SUMMER OF 1978 SIXTY-EIGHT MILITARY PERSONNEL WERE
TRIED PUBLICLY FOR THEIR INVOLVEMENT IN AN ARMED
ATTEMPT TO OVERTHROW THE GOVERNMENT ON APRIL 9, 1978.

E. INVASION OF THE HOME: IMMEDIATELY FOLLOWING THE
APRIL 1978 COUP ATTEMPT THE ARMY AND POLICE CONDUCTED
SYSTEMATIC SEARCHES OF HOMES IN SOME DISTRICTS. POL-
ITICAL DISSIDENTS OR EVEN THOSE SUSPECTED OF POLITICAL
DISSENT ARE PROBABLY NOT FREE FROM ARBITRARY SEARCHES
OF THEIR HOMES.

2. GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT
OF SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND
EDUCATION: WITHIN ITS ABILITY TO DO SO, THE SOMALI
GOVERNMENT IS MAKING SERIOUS EFFORTS TO FULFILL THE
VITAL NEEDS OF THE MAJORITY OF THE POPULATION THROUGH
ECONOMIC DEVELOPMENT. (CURRENT PER CAPITA INCOME IS

APPROXIMATELY DOLS 100 P.A.) WHILE THE EFFECTIVENESS OF ITS APPROACH HAS BEEN CONSTRAINED BY IDEOLOGICAL RIGIDITY AND DISINCENTIVES TO FOREIGN INVESTMENT, IT HAS ESTABLISHED PROGRAMS OF DIRECT BENEFIT TO THE SOMALI PEOPLE. RECENTLY, HOWEVER, THE SOMALI GOVERNMENT HAS TAKEN A SLIGHTLY MORE PRAGMATIC APPROACH TO ECONOMIC DEVELOPMENT, AS WELL AS MAKING STRONG EFFORTS TO OBTAIN MUCH-NEEDED AID FROM WEALTHIER NATIONS. THE TAX SYSTEM IS EQUITABLE, ALTHOUGH IN A SOCIETY WHERE THERE DO NOT EXIST GREAT DIFFERENCES IN INCOME, IT IS A RELATIVELY MINOR CONSIDERATION. THERE IS A MODEST AMOUNT OF CORRUPTION IN SOMALIA. THE SOMALI GOVERNMENT HAS ENACTED LEGISLATION TO PROTECT WORKERS AND ASSURE FAIR COMPENSATION FOR WORK. MAJOR EFFORTS HAVE BEEN LIMITED OFFICIAL USE

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MADE TO IMPROVE HEALTH CARE, THE QUALITY OF DIET, HOUSING, EDUCATION, AND JOB TRAINING, ALTHOUGH BUREAUCRATIC INEFFICIENCY AND AN OVERLY-DOCTRINAIRE APPROACH HAVE COMPROMISED SOME EFFORTS. THERE REMAINS A STRONG COMMITMENT OF TALENT AND RESOURCES ON THE PART OF THE SOMALI GOVERNMENT TO AMELIORATE THE CONDITION OF THE MAJORITY OF THE SOMALI PEOPLE. THIS TASK IS MADE MORE DIFFICULT BY THE NOMADIC NATURE OF MUCH OF THE POPULATION AND THE ASSUMPTION OF SOME RESPONSIBILITY FOR SOMALIS LIVING OUTSIDE THE BORDERS OF THE SOMALI DEMOCRATIC REPUBLIC. THE RECENT INFLUX OF REFUGEES HAS BEEN AN ADDED BURDEN.

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3. RESPECT FOR CIVIL AND POLITICAL LIBERTIES, INCLUDING:

A. FREEDOM OF THOUGHT, SPEECH, PRESS, RELIGION, AND ASSEMBLY: IN THE PURSUIT OF ITS OBJECTIVES THE SOMALI GOVERNMENT HAS SHOWN LITTLE TOLERANCE FOR FREEDOM OF SPEECH OR ASSEMBLY. FREEDOM OF THE PRESS IS IMPAIRED BY GOVERNMENT CONTROL AND CENSORSHIP. THERE DOES NOT APPEAR, HOWEVER, TO BE SIGNIFICANT IMPACT ON FREEDOM OF THOUGHT AND INTELLECTUAL INQUIRY, EXCEPT WHERE THESE ACTIVITIES ARE DEEMED TO BE POLITICAL IN NATURE.

THE SOMALIS ARE A MUSLIM PEOPLE AND ARE ALLOWED TO PRACTICE THEIR FAITH FREELY SO LONG AS THEIR RELIGIOUS LEADERS DO NOT CHALLENGE THE POLITICAL ORIENTATION OR LEGITIMACY OF THE GOVERNMENT. PUBLIC OPPOSITION BY 10 RELIGIOUS LEADERS IN 1975 WAS BASED ON THEOLOGICAL AS WELL AS ON POLITICAL GROUNDS SINCE THEY BELIEVED THAT THE GOVERNMENT, IN REVISING THE INHERITANCE LAWS, HAD ATTACKED THE KORAN, THE BASIS FOR ISLAMIC DIVERCE AND INHERITANCE RIGHTS. THE GOVERNMENT, HOWEVER, VIEWED THE PROTEST IN POLITICAL TERMS AND CHARGED THE LEADERS WITH OPPOSING ITS DECISION ON WOMEN'S RIGHTS AND PREACHING THE ISLAMIC FAITH FALSELY. THE GOVERNMENT ALSO

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CHARGED THAT THE LEADERS WERE IN THE PAY OF A FOREIGN POWER. CHRISTIANS AND OTHERS ARE ALLOWED TO WORSHIP FREELY.

B. FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL AND EMIGRATION: THE SOMALIS, BEING A NOMADIC PEOPLE, GENERALLY HAVE FREEDOM OF MOVEMENT WITHIN THE COUNTRY. SUCH FREEDOM IS SOMETIMES CURTAILED, HOWEVER, IN THE CASE OF SUSPECTED OR KNOWN DISSIDENTS, AND WHERE THE GOVERNMENT BELIEVES THAT SUCH MOVEMENT IS NOT IN THE NATIONAL INTEREST. FREEDOM TO LEAVE THE COUNTRY FOR TRAVEL OR EMIGRATION PURPOSES, IS SOMETIMES DENIED FOR THE SAME REASONS.

C. FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS: SOMALIA IS A ONE-PARTY STATE WHICH IS RULED PRIMARILY BY MILITARY OFFICERS WHO SEIZED POWER IN OCTOBER 1969. IN PURSUIT OF THE GOVERNMENT'S SOCIAL AND ECONOMIC GOALS, THE LEADERSHIP HAS IMPOSED A HIGH DEGREE OF POLITICAL REGIMENTATION. NO OPPOSITION PARTIES ARE PERMITTED TO EXIST. THERE ARE NO ELECTIONS IN SOMALIA.

4. GOVERNMENT ATTITUDE AND RECORD REGARDING INTERNATIONAL AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS OF HUMAN RIGHTS: A LARGE NUMBER OF FOREIGN CORRESPONDENTS VISITED SOMALIA IN 1977-78, PARTICULARLY DURING THE WAR WITH ETHIOPIA. WE KNOW OF NO RECENT REQUESTS TO INVESTIGATE SOMALIA'S HUMAN RIGHTS RECORD.

III: ANALYSIS AND RECOMMENDATIONS:

1. IN THE NEAR FUTURE, THE AMOUNT OF LEVERAGE THE U.S. CAN BRING TO BEAR ON MOST HUMAN RIGHTS ISSUES (CATEGORIES LIMITED OFFICIAL USE

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1, 3 AND 4) IN SOMALIA IS DIRECTLY RELATED TO THE QUESTION OF WHETHER OR NOT WE SEND A DOD SURVEY MISSION TO THE SDR, ALTHOUGH WE CAN EXPECT THAT THERE WILL ALWAYS BE LIMITS TO THAT INFLUENCE. SOMALIS TEND TO BE HIGHLY INDEPENDENT AND ETHNOCENTRIC, AND WHAT MIGHT BE PERCEIVED AS INTERFERENCE IN DOMESTIC AFFAIRS IS LIKELY TO MEET WITH STRONG RESISTANCE, NO MATTER WHAT GOVERNMENT IS IN POWER. IT IS ALSO TRUE THAT THE PRESENT GOVERNMENT IS AUTHORITARIAN, AND MAINTAINS ITSELF IN POWER PARTLY THROUGH MEANS WHICH WE WOULD CONSIDER IN VIOLATION OF HUMAN RIGHTS. IT IS NOT LIKELY THAT THE GSDR, OR ANY SUCCESSOR GOVERNMENT, WOULD BE WILLING TO COMPROMISE ITS ABILITY TO RULE IN ORDER TO EITHER IMPRESS AMERICAN OFFICIALDOM OR GAIN A FAVORABLE WESTERN PRESS. THIS MEANS THAT IT IS NOT LIKELY, WHATEVER COURSE AMERICAN/SOMALI RELATIONS TAKE, THAT SUCH PRACTICES ARE ARBITRARY ARREST OR IMPRISONMENT OR ARBITRARY SEARCHING OF HOMES WILL CEASE. WE DO NOT BELIEVE IT LIKELY THAT THE POLITICAL SYSTEM WILL CHANGE IN THE NEAR FUTURE, AND EFFORTS ON OUR PART TO BRING ABOUT SUCH A CHANGE SOON WOULD PROBABLY BE COUNTER-PRODUCTIVE, AND PERHAPS ENDANGER THE U.S./SOMALI RELATIONSHIP ENTIRELY.

2. OVER A LONGER PERIOD OF TIME, IT IS POSSIBLE THAT THERE WILL BE AN INCREASED LIBERALIZATION IN THE GSDR, ALTHOUGH CLEARLY THIS DEPENDS ON THE NUMBER OF FACTORS, SUCH AS THE PERCEPTION OF THREAT FROM EXTERNAL SOURCES, THE STABILITY OF THE GOVERNMENT, AND THE DIRECTION OF THE SDR'S POLITICAL ALLIANCES.

3. GIVEN THE STRONG COMMITMENT TO IMPROVEMENT OF LIVING CONDITIONS FOR THE MAJORITY OF THE SOMALI PEOPLE, AND THE VARIETY OF AID PROJECTS BEING IMPLEMENTED AT THIS TIME, THERE IS LITTLE THAT NEEDS BE DONE FOR THOSE HUMAN RIGHTS COVERED BY CATEGORY TWO.

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4. AT THIS TIME, WITH US/SOMALI RELATIONS STILL UN-
SETTLED, THE OPTIONS OPEN TO U.S. POLICYMAKERS ARE
SEVERELY LIMITED, EVEN WERE WE TO VIEW THE HUMAN RIGHTS
SITUATION IN THE SDR WITH GRAVE CONCERN. WHILE THE
SITUATION IN THE SDR IN RESPECT TO HUMAN RIGHTS IS NOT
IDEAL, WE DO NOT BELIEVE THAT IT IS SERIOUS ENOUGH TO
WARRANT ANY CHANGE IN U.S. POLICIES TOWARDS THIS COUNTRY.
WE FEEL THAT THE BEST COURSE OF ACTION FOR THE U.S. IS
TO QUIETLY MAKE OUR VIEWS KNOWN, AND WORK TOWARDS CLOSER
U.S./SOMALI RELATIONS, WHICH HOPEFULLY CAN HELP BRING
ABOUT A LIBERALIZATION IN THIS SOCIETY, AND REMOVE SOME
OF THE STILL-FELT SOVIET INFLUENCE.

5. THERE HAS BEEN LITTLE REACTION ON THE PART OF
SOMALIS TO U.S. HUMAN RIGHTS POLITICS, AND FEW INDIVIDUALS
HERE IN OR OUT OF GOVERNMENT ARE KEENLY CONCERNED ABOUT
THE RIGHTS OR WELFARE OF NON-SOMALIS. SOME SOMALIS DO
CRITICIZE THE U.S. FOR NOT APPEARING TO EXTEND ITS
CONCERN FOR HUMAN RIGHTS TO THE PROBLEMS OF SOMALIS
LIVING IN ETHIOPIAN OR KENYAN TERRITORY AND ACCUSE THE
U.S. OF HYPOCRISY.
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